

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARTIN GONZALEZ SANCHEZ, LEDIZ
MARIN, HECTORE GONZALEZ
SANCHEZ, LEONCIO NOE, and DAMASO
CESAR GONZALEZ ROMANO (A.K.A.
CESAR GONZALEZ), *individually and on
behalf of others similarly situated,*

Plaintiffs,

-against-

Y AND P ENTERPRISES INC (D/B/A
CORNER CAFE & BAKERY), PAUL
DIMINO, YURA MOHR, LUCAS SANTOS,
and SUSIE RHIM,

Defendants.

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TO: Ilan Weiser, Esq.
Ellenoff Grossman & Schole LLP
1345 Avenue of the Americas, 11th Floor
New York, New York 10105
Tel: (212) 370-1300
Email: iweiser@egsllp.com

PLEASE TAKE NOTICE that Plaintiffs MARTIN GONZALEZ SANCHEZ, LEDIZ MARIN, HECTORE GONZALEZ SANCHEZ, LEONCIO NOE, and DAMASO CESAR GONZALEZ ROMANO (A.K.A. CESAR GONZALEZ), hereby accept the offer of judgment made by Defendant Y AND P ENTERPRISES INC (D/B/A CORNER CAFE & BAKERY) pursuant to Rule 68 of the Federal Rules of Civil Procedure, dated September 8, 2021. A true copy of the offer of judgment is annexed hereto as Exhibit A.

Dated: New York, New York
September 9, 2021

Respectfully submitted,

/s

Clela A. Errington, Esq.
Michael Faillace & Associates, PC
60 East 42nd Street, Suite 4510
New York, NY 10165
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Attorneys for Plaintiff

21-CV-00675

**PLAINTIFFS' NOTICE OF
ACCEPTANCE OF OFFER OF
JUDGMENT**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

MARTIN GONZALEZ SANCHEZ, LEDIZ
MARIN, HECTORE GONZALEZ
SANCHEZ, LEONCIO NOE, and DAMASO
CESAR GONZALEZ ROMANO (A.K.A.
CESAR GONZALEZ), individually and on
behalf of others similarly situated,

Plaintiffs,

-against-

Y AND P ENTERPRISES INC (D/B/A
CORNER CAFE & BAKERY), PAUL
DIMINO, YURA MOHR, LUCAS SANTOS,
and SUSIE RHIM

Defendants.

-----X

Case 1:21-CV-00675

**OFFER OF JUDGMENT TO
PLAINTIFFS PURSUANT TO RULE 68
OF THE FEDERAL RULES OF CIVIL
PROCEDURE**

TO: Clela Errington, Esq.
Michael Faillace, Esq.
Michael Faillace & Associates, PC
60 East 42nd Street, Suite 4510
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michael@faillacelaw.com

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant Y AND P ENTERPRISES INC. (D/B/A CORNER CAFE & BAKERY) ("Defendant") hereby offers to allow judgment to be taken against it by Plaintiffs MARTIN GONZALEZ SANCHEZ, LEDIZ MARIN, HECTORE GONZALEZ SANCHEZ, LEONCIO NOE, and DAMASO CESAR GONZALEZ ROMANO (A.K.A. CESAR GONZALEZ), ("Plaintiffs") in the above-captioned action in the total sum of One Hundred Thousand Dollars and No Cents (\$100,000.00), inclusive of reasonable attorney's fees, costs, and expenses to date of this offer, in full and final settlement of all of Plaintiffs' claims arising out of, alleged in, or related to, the facts and transactions in the above-captioned action.

This judgment shall be in full satisfaction of all federal and state law claims or rights that Plaintiffs may have to damages, or any other form of relief, arising out of the alleged acts or omissions of Defendant or any owner, employee, or agent, either past or present, of the Defendant, or in connection with the facts and circumstances that are the subject of this action.

This offer of judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability by the Defendant, or any

owner, employee, representative, or agent of the Defendant; nor is it an admission that Plaintiffs suffered any damages.

Acceptance of this offer of judgment will act to release and discharge Defendant, their respective successors or assigns, as well as all past and present owners, employees, representatives, and agents of the Defendant from any and all claims that were or could have been alleged by Plaintiffs in the above-referenced action. Acceptance of this offer of judgment also will operate to waive Plaintiffs' rights to any claim for interest on the amount of the judgment.

In order for Plaintiffs to accept this offer, Plaintiffs must serve written notice of acceptance upon Defendant within fourteen (14) days after service of this Offer of Judgment. An offer not accepted within the specified period for acceptance will be deemed withdrawn.

Dated: New York, New York
September 8, 2021

Respectfully submitted,

/s/ Ilan Weiser
Ilan Weiser, Esq.
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Enterprises Inc., Paul Dimino, Lucas
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